APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,445	03/31/2004	Frank Oliver Hoffmann	34874-096 UTIL	9237

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EXAMINER
MCLEOD, MARSHALL M

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>04 September 2008</u>.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-15</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-15</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on <u>31 March 2004</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All b) ☐ Some * c) ☐ None of:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. _____.
    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
       application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-15 are pending in this application.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3.   Claims 1, 5, 9, 10 and 11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

4.   The inclusion in the claims of "a business application to manage and control a business enterprise" is improper because there is no support in specification for this limitation. Examiner finds no instance where the specification particularly describes the claimed invention invoking a "a business application to manage and control a business enterprise."

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
subject matter which the applicant regards as his invention.

**6.   Claims 1, 5, 9, 10 and 11 are rejected under 35 U.S.C. 112, second paragraph, as
being indefinite for failing to particularly point out and distinctly claim the subject matter
which applicant regards as the invention.**

7.   With respect to claims 1, 5, 9, 10 and 11 (line 6), "a business application to manage and
control a business enterprise" is indefinite. It is not clearly understood how or what the <u>business
application</u> does or is doing to manage and control <u>a business enterprise</u>. It is also not clearly
understood what business enterprise the applicant is referring to. Appropriate clarification is
required.

Claim Rejections - 35 USC § 102

8.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the
basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on
sale in this country, more than one year prior to the date of application for patent in the United States.

**9.   Claim 12 is rejected under 35 U.S.C. 102(b) as being anticipated by Traversat et al.
(Pub. No US 20020184357 A1), hereinafter Traversat.**

10.   With respect to claim 12, Traversat discloses the first component sending the message to
one of one or more components in the collaborative network, wherein each component is

operative to: send a transport level acknowledgement, in response to successfully receiving the

message; cause the message to be sent to the receiving application; include the component on the

hop-list in the message, by modifying the message; if the component sends the message to the

receiving application, generate the acknowledgement message, and send the acknowledgement

message; and send a transport level acknowledgement in response to successfully receiving the

acknowledgement message ([0384], lines 1-6; [0386], lines 1-6).

Claim Rejections - 35 USC § 103

11.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

12.   Claims 1, 5, 9-11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Traversat et al. (Pub. No US 20020184357 A1), hereinafter Traversat, in view of Chen

et al. (Pub. No US 20020184070 A1), hereinafter Chen.

13.   With respect to claim 1, Traversat discloses a method of transporting a message from a

sending application to a receiving application, across a messaging landscape in a collaborative

network (Page 12; [0147], lines 1-18), the method comprising: a message to include a structured

message header, wherein the structured message header is defined in accordance with a

messaging protocol, the structured message header comprising one or more components defined

by the protocol with each of the one or more components relating to a corresponding set of

attributes of the message (Page 12; [0148], lines 1-14), at least one of the one or more

components of the structured header including information related to: security for components of

the message (Pages 12- 13; [0150], lines 1-24); a processing mode for the message (Page 20;

[0253], lines 1-6; i.e. tells the receiver how to process the message whether it is a request, or

simply a response so do nothing), and sending the message according to the protocol, from the

sending application; and receiving, at the receiving application, the message (Page 12; [0149],

lines 1-2).

Traversat does not disclose a business application to manage and control a business enterprise or

a processing mode for the message. However, Chen discloses a business application to manage

and control a business enterprise (Page 3; [0047], lines 1-12).

It would have been obvious to a person having ordinary skill in the art at the time of the

invention to combine the teachings of Traversat with the teachings of Chen in order to encourage

collaborative business process management between users in the same business enterprise as

well as different enterprises.

14.   With respect to claim 5, Traversat discloses a method of transporting a message from a

sending application to a receiving application, across a messaging landscape in a collaborative

network (Page 12; [0147], lines 1-18), the method comprising: defining an application message

having a structured application message header, the structured message header being defined in

accordance with an application a messaging protocol, the structured application message header

comprising one or more components defined by the protocol with each of the one or more

components relating to a corresponding set of attributes of the message (Page 12; [0148], lines 1-

14), at least one of the one or more components including version information, the version

information indicating the protocol used to define the message (See Figures 5 & 9; Page 13;

[0153]; [0154], line 1; sending the message according to the protocol (Page 12; [0150], lines 2-

3); and receiving, at a messaging component in the messaging landscape, the message, the

messaging component being operative to process the message based on the version information

included in the message (Page 13; [0153], [0154], [0155]).

Traversat does not disclose a business application to manage and control a business enterprise.

However, Chen discloses a business application to manage and control a business enterprise

(Page 3; [0047], lines 1-12).

It would have been obvious to a person having ordinary skill in the art at the time of the

invention to combine the teachings of Traversat with the teachings of Chen in order to encourage

collaborative business process management between users in the same business enterprise as

well as different enterprises.

15.   With respect to claim 9, Traversat discloses a method of transporting a message from a

sending application to a receiving application, across a messaging landscape in a collaborative

network (Page 12; [0147], lines 1-18), the method comprising: a message to include addressing

information, wherein the addressing information is defined in accordance with a protocol and the

protocol defines addressing information to include party information for the sending application
and the receiving application (Page 12; [0147], lines 6-7; Figure 5), and the party information to
include identification of a party that is a business party or an agency that is defined by a scheme
(Page 12; [0148], lines 6-11); sending the message, from the sending application, according to
the protocol (Page 12; [0150], lines 2-3); and receiving, at the receiving application, the message
(Page 12; [0150], lines 2-3).

Traversat does not disclose a business application to manage and control a business enterprise.
However, Chen discloses a business application to manage and control a business enterprise
(Page 3; [0047], lines 1-12).

It would have been obvious to a person having ordinary skill in the art at the time of the
invention to combine the teachings of Traversat with the teachings of Chen in order to encourage
collaborative business process management between users in the same business enterprise as
well as different enterprises.

16.   With respect to claim 10, Traversat discloses a method of transporting a message from a
sending application to a receiving application, across a messaging landscape in a collaborative
network (Page 12; [0147], lines 1-18), the method comprising: an application message according
to a class of messages, the class of messages is one of a plurality of classes of messages that are
defined by a messaging protocol (Page 6; [0087], lines 1-4; Page 30; [0378]), the application
message having a structured application message header, the structured message header being

defined in accordance with an application a messaging protocol, the structured application

message header comprising one or more components defined by the protocol with each of the

one or more components relating to a corresponding set of attributes of the message (Page 12;

[0148], lines 1-14); sending the message, from the sending application, according to the protocol

(Page 12; [0150], lines 2-3); and receiving, at the receiving application, the message (Page 12;

[0150], lines 2-3).

Traversat does not disclose a business application to manage and control a business enterprise.

However, Chen discloses a business application to manage and control a business enterprise

(Page 3; [0047], lines 1-12).

It would have been obvious to a person having ordinary skill in the art at the time of the

invention to combine the teachings of Traversat with the teachings of Chen in order to encourage

collaborative business process management between users in the same business enterprise as

well as different enterprises.

17.   With respect to claim 11, Traversat discloses a method of transporting a message from a

sending application to a receiving application, across a messaging landscape in a collaborative

network (Page 12; [0147], lines 1-18), receiving an application message, from the sending

application, at a first component of the collaborative network (Page 12; [0150], lines 2-3), the

application message having a structured application message header, the structured message

header being defined in accordance with a protocol (Page 12; [0148], lines 1-14), the structured

application message header comprising one or more components defined by the protocol with

each of the one or more components relating to an associated set of attributes of the message

(Page 12; [0148], lines 1-14); in response to the first component successfully receiving the

message, the first component sending a transport level acknowledgement to the sending

application; the first component modifying the message to include the first component on a hop-

list in the message; the first component causing the message to be sent to the receiving

application; in response to receiving an acknowledgement message, from a second component,

indicating that the message has been received by the receiving application, the first component

sending a transport level acknowledgement to the second component, (Page 31; [0384], lines 1-

6). Prior art Szabo also discloses the same ([0169], lines 1-6; [0170], lines 1-4).

Traversat does not disclose a business application to manage and control a business enterprise.

However, Chen discloses a business application to manage and control a business enterprise

(Page 3; [0047], lines 1-12).

It would have been obvious to a person having ordinary skill in the art at the time of the

invention to combine the teachings of Traversat with the teachings of Chen in order to encourage

collaborative business process management between users in the same business enterprise as

well as different enterprises.

18.   With respect to claim 13, the claim is rejected for the same reasons as claim 1 above. In

addition, Traversat does not disclose wherein the messaging protocol of the business application

to manage and control the business enterprise is different from standard network

communications protocols.

However, Chen discloses wherein the messaging protocol of the business application to manage

and control the business enterprise is different from standard network communications protocols

(Page 3; [0040], lines 1-13).

19.   **Claims 2-4 and 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Traversat et al. (Pub. No US 20020184357 A1), hereinafter Traversat, in view of Chen

et al. (Pub. No US 20020184070 A1), hereinafter Chen, and further in view of Ringseth et

al. (Pub. No. US 20030014733 A1), hereinafter Ringseth.**

20.   With respect to claim 2, neither Traversat nor Chen discloses a fault message component

representing an error occurring at a messaging peer that generated the error. However, Ringseth

discloses a fault message component representing an error occurring at a messaging peer that

generated the error, ([0068], lines 1-8; [0069], lines 1-5; [0070], lines 1-3; [0074], lines 1-8).

It would have been obvious to a person having ordinary skill in the art at the time of the

invention to modify the combined teachings of Traversat and Chen with the teachings of

Ringseth, because adding a fault message component would help to speed up messages by

reducing and preventing message failures.

21.   With respect to claim 3, the claim is rejected for the same reasons as claim 2 above. In

addition, neither Traversat nor Chen, discloses a fault message that is defined to represent at least

one error from a set of errors and the protocol defines the set of errors to comprise: errors

processing a message; errors parsing a message; and errors rendering a message.

However, Ringseth discloses a fault message that is defined to represent at least one error from a

set of errors and the protocol defines the set of errors to comprise: errors processing a message;

errors parsing a message; and errors rendering a message (Pages 6-7; [0064-0076]).

22.   With respect to claim 4, the claim is rejected for the same reasons as claim 2 above. In

addition, Traversat discloses the security for components of the message defined to comprise:

information related to a signature of the message; and information related to a signature of a

payload of the message, if the message includes the payload, (Page 36; [443], lines 1-12).

23.   With respect to claim 14, the claim is rejected for the same reasons as claim 1 above. In

addition neither Traversat nor Chen discloses wherein the structured application message header

comprises: a structured application message header specified using XML syntax.

However, Ringseth discloses wherein the structured application message header comprises: a

structured application message header specified using XML syntax (Page 5; [0051], lines 1-2;

i.e. … message is a XML document..).

24.   With respect to claim 15, the claim is rejected for the same reasons as claim 1 above. In

addition neither Traversat nor Chen discloses wherein the structured application message header

is specified in a designated header section of a Simple Object Access Protocol (SOAP) message.

However, Ringseth discloses wherein the structured application message header is specified in a

designated header section of a Simple Object Access Protocol (SOAP) message (Page 5; [0052],

lines 1-7).

25.   **Claims 6-8, are rejected under 35 U.S.C. 103(a) as being unpatentable over**

Traversat et al. (Pub. No US 20020184357 A1), hereinafter Traversat, in view of Chen et al.

(Pub. No US 20020184070 A1), hereinafter Chen, and further in view of Ringseth et al.

(Pub. No. US 20030014733 A1), hereinafter Ringseth and further in view of Szabo, (Pub.

No. US 20020138618 A1).

26.   With respect to claim 6, the claim is rejected for the same reasons as claim 5 above. In

addition, neither Traversat nor Chen nor Ringseth discloses that the version information includes

a major version and a minor version. However, Szabo discloses the version information includes

a major version and a minor version, (Page 6; [0094], lines 1-2; Figure 12).

It would have been obvious to a person having ordinary skill in the art at the time of the

invention to modify the combined teachings of Traversat, Chen and Ringseth with the teachings

of Szabo, in order to tell the receiver how to handle a received message and speed up message

processing.

27.   With respect to claim 7, the claim is rejected for the same reasons as claim 6 above. In

addition, neither Traversat nor Chen nor Szabo discloses wherein the messaging component is

operative to process the message if the major version is less than or equal to a major version for

which the messaging component is configured.

However, Ringseth discloses wherein the messaging component is operative to process the

message if the major version is less than or equal to a major version for which the messaging

component is configured, (Page 6; [0055], lines 1-7).

28.   With respect to claim 8, the claim is rejected for the same reasons as claim 6 above. In

addition, neither Traversat nor Chen nor Szabo discloses wherein the messaging component is

operative to process the message regardless of the minor version of the message and the

messaging component is operative to optimally process the message if the minor version of the

message is less than or equal to a minor version for which the messaging component is

configured.

However, Ringseth discloses wherein the messaging component is operative to process the

message regardless of the minor version of the message and the messaging component is

operative to optimally process the message if the minor version of the message is less than or

equal to a minor version for which the messaging component is configured, (Page 6; [0055],

lines 1-7).

Response to Arguments

29.   Applicant's arguments with respect to claims 1-15 have been considered but are moot in

view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to MARSHALL MCLEOD whose telephone number is (571)270-

3808. The examiner can normally be reached on Monday - Thursday 6:30 a.m-4:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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